S.B.Cr.Misc. II Bail App. No. 4898/2007
(Ladu Lal & Anr. Vs. State of Rajasthan)

Date of order : 04/10/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. Ramesh Purohit for the petitioners.

Mr. V.R.Mehta, Public Prosecutor.

Heard learned counsel for the petitioners and the Public Prosecutor for the State. Perused the order impugned and challan papers.

While the matter was at the investigation stage, the earlier bail application filed by the petitioner was dismissed. After investigation, the police has now filed the challan. I have carefully gone through the challan papers and statements of witnesses. It appears that the deceased went to his in-laws' house where his wife was residing, but his wife declined to accompany the deceased on the ground that he used give her beatings. The parents of the deceased's wife also did not send the deceased's wife with him on the ground that the deceased used to give beatings to his wife, on which, out of frustration, the deceased consumed some poisonous tablets while returning to his village and near to his village he fell down and ultimately died which is evident from the statement of villegers to which the deceased belongs. Except this, there appears to be no other evidence of abetment to commit suicide.

Looking to the facts and circumstances of the case and keeping in view the evidence available on record as noticed above as also the

fact that similarly situated co-accused Smt. Bali and Smt. Tulsi have been granted bail by Co-ordinate Bench of this Court vide order dated 17.8.2007, having considered the oral arguments advanced by both the parties, I think it just and proper to enlarge the accused petitioners on bail.

Accordingly, this bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioners Ladu Lal S/o Hajari Kumhar and Kalu Ram S/o Ladu Kumhar be released on bail in FIR No. 141/2007 P.S. Baneda, provided each of them executes a personal bond for a sum of Rs. 20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for their appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR), J.

RP